

CJ 5
StuartIN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMAFILED IN DISTRICT COURT
OKLAHOMA COUNTY

THRESA MITCHELL,

)

DEC 23 2015

Plaintiff,

)

TIM RHODES
COURT CLERK

v.

)

Case No. CJ- 2015 - 6947

)

STATE FARM MUTUAL
AUTOMOBILE INSURANCE
COMPANY,

)

Defendant.

)

PLAINTIFF'S ORIGINAL PETITION

Plaintiff hereby alleges and states as follows against the above named defendant:

1. On or about January 6, 2011 plaintiff was involved in automobile accident with Jeanna Renee Thompson. The collision caused plaintiff to incur in excess of \$19,000 in medical expenses, lost wages, pain and suffering and permanent injuries.
2. Thompson's liability carrier, Traveler's Home and Marine Insurance Company accepted responsibility for the accident and tendered liability limits of \$50,000.00 on or about February 28, 2013.
3. Since plaintiff's damages exceed Thompson's liability limits, she demanded compensation from the defendant, as an insured of the defendant, under the underinsured motorist provision appearing in the policy in effect at the time of the collision.
4. As of May 19, 2015, defendant has failed to evaluate plaintiff's claim fairly, tender the undisputed amount of its evaluation, and has treated plaintiff as an adversary and in bad faith.

2. Defendant's actions constitute a breach of the insurance policy and equate to bad faith, entitling plaintiff to contractual and extra contractual damages.

Wherefore, plaintiff demands judgment against the defendant in an amount in excess of the amount required for diversity of jurisdiction and any additional or further relief that she may be entitled to in law and equity.

Submitted by:



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Discovery Served With Petition and Summons